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EXAMINER
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EHICHIOYA, FRED I

ART UNIT	PAPER NUMBER
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2162

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06/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/836,952

Applicant(s)

JAM, MEHRBAN

Examiner

Fred I. Ehichioya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. In view of the Appeal Brief filed on 4 January 2007, PROSECUTION IS HEREBY REOPENED. The rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal. If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. After an Appeal Conference, Conferees decided to withdraw the finality of the last Office Action and therefore, the finality of that action is withdrawn.

3. With respect to claims 1 - 38 detail action follows:

***Response to Arguments***

4. Applicants argue:

Applicant's arguments with respect to claims 1 - 38 have been considered but are moot in view of the new ground(s) of rejection.

***Specification Objections***

5. The meaning of every term used in any of the claims should be apparent from the descriptive portion of the specification with clear disclosure as to its import; and in mechanical cases, it should be identified in the descriptive portion of the specification by reference to the drawing, designating the part or parts therein to which the term applies MPEP 608.01(o) [R-3].

The specification is objected because claims 13 – 19, and 31 - 35 recite “A computer-readable medium” and “an article” respectively. The specification fails to provide antecedent basis for the term “medium” and “an article”.

***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 13 – 19 and 31 - 35 are rejected under 35 U.S.C. 101 because:

(i) Regarding claims 13, this claim is directed to computer readable medium embodying computer program code for context-aware computer management. The spec fails to provide antecedent basis for the term "medium" and should have been

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objected to (MPEP 608.01(o)), such that the term "medium" itself would have reasonably been interpreted by one of ordinary skill as other than physical articles or objects to act as a hardware component and realize its functionality. As such, the claim is not limited to useful manufactures within the meaning of 101, and since it's not a process, machine or composition of matter, it's non-statutory.

(ii) Regarding claims 31, this claim is directed to an article comprising a computer-usable medium containing program code. The spec fails to provide antecedent basis for the term "article" and should have been objected to (MPEP 608.01(o)), such that the term "article" itself would have reasonably been interpreted by one of ordinary skill as other than physical articles or objects to act as a hardware component and realize its functionality. As such, the claim is not limited to useful manufactures within the meaning of 101, and since it's not a process, machine or composition of matter, it's non-statutory.

Regarding claims 14 – 19 and 32 - 35 and in view of MPEP 2106 (II) (A), are not statutory because they recite computing instructions and are merely descriptive and lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101; therefore non-statutory.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Non-Patent Literature (NPL) "WIPS Technical Documentation by Roland Ljungh et al., (Hereinafter "Ljungh").

Regarding claim 1, Ljungh disclose a computer-implemented method comprising:  
assigning information stored on a computer a plurality of clearance levels (see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels" and the administrator assigns or determines who is able to view which information);

assigning each smart badge within a set of smart badges one of the clearance levels (see page 15; section 4.2.1 wherein the doors are assigned security levels. The badge is associated with the door for authorizing access; inherently, badges are assigned access or clearance level in order to have a particular entry through these doors);

using a wireless beacon to detect which smart badges are located within a predefined boundary (see page 1, section 1, paragraph 2 wherein badges and location of the badges are identified using the IR beacons);

identifying a lowest clearance level assigned to the smart badges within the boundary (see page 16, section 4.2.8 wherein lowest priority levels regarding access is interpreted as lowest clearance levels); and

providing access to that sub-set of the information having a clearance level no higher than the lowest identified clearance level (see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access).

Regarding claims 2 and 14, Ljungh discloses defining those smart badges within the boundary as a set of visible smart badges (see page 1, section 1, paragraph 2 wherein a person wearing WIPS badge is interpreted as visible smart badge); and

updating the set of visible smart badges in response to a change in smart badge visibility status (see page 1, section 1, paragraph 2 wherein the badge server is updated when the person wearing the WIPS badge moves from one place to the other).

Regarding claims 3 and 15, Ljungh discloses recalculating the lowest clearance level in response to the change in smart badge visibility status (see page 5, paragraph 1 wherein person events is generated when moved from one room to another in the re-access the security access level).

Regarding claim 4, Ljungh discloses the method of claim 2 further comprising:

recording the smart badge visibility status of each smart badge within an activity log (see page 10, section 3.3.1, paragraph 1 wherein the show room enables writing the name of specific room, badge/person wearing the badge when there is movement activities).

Regarding claims 5 and 16, Ljungh discloses providing access to smart badge wearers assigned to the smart badges (see page 15, section 4.2.1 wherein access is granted to badge wearer).

Regarding claims 6 and 17, Ljungh discloses the method of claim 2 further comprising:

preventing access to the information when the smart badge visibility status is set to invisible for a predetermined timeout (see page 9, paragraph 1 wherein access is denied when connection with the badge closes or timeout occurs).

Regarding claim 7, Ljungh discloses the method of claim 1 further comprising: writing data items to the smart badges (see page 9, paragraph 6 wherein commands are used to configure/ or write on the badge).



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Regarding claim 8, Ljungh discloses the method of claim 7 further comprising:  
pre-reading the data items from the smart badges during idle periods (see page 9, paragraph 5 wherein data is read from the badge).

Regarding claims 9 and 18, Ljungh discloses defining a badge removal confidence level indicating whether each smart badge has been continuously worn by corresponding assigned smart badge wearers (see page 15, section 4.2.1 paragraph 1 wherein the badge is authenticated to verify that the badge is in the possession of the owner).

Regarding claims 10 and 19, Ljungh discloses assigning an expiration period to each of the smart badges (see page 9, paragraph 1 wherein the timeouts is interpreted as the expiration time); and

de-authenticating and erasing all data stored on a smart badge whose expiration period has been exceeded (see page 14, section 4.1.5 paragraph 2 wherein the administrator can edit or remove data from the badge).

Regarding claim 11, Ljungh discloses the method of claim 1 wherein the using element includes:

configuring the predefined boundary by varying a sensitivity level of the wireless beacon (see page 15, paragraph 1 wherein beacons are created according to the sensitivity level for example – light or dark sensitivity).

Regarding claim 12, Ljungh discloses a method for context-aware computer management comprising:

- assigning database information a plurality of clearance levels (see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels" and the administrator assigns or determines who is able to view which information);

- assigning each smart badge within a set of smart badges one of the clearance levels (see page 15, section 4.2.1 wherein the doors are assigned security levels. The badge is associated with the door for authorizing access; inherently, badges are assigned access or clearance level in order to have a particular entry through these doors);

- using a wireless beacon to detect which smart badges are located within a predefined boundary (see page 1, section 1, paragraph 2 wherein badges and location of the badges are identified using the IR beacons);

- identifying a lowest clearance level assigned to the smart badges within the boundary (see page 16, section 4.2.8 wherein lowest priority levels regarding access is interpreted as lowest clearance levels); and

- providing access to that sub-set of the database information having a clearance level no higher than the lowest identified clearance level on a computer located within the predefined physical boundary (see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access);

defining those smart badges within the boundary as a set of visible smart badges (see page 1, section 1, paragraph 2 wherein a person wearing WIPS badge is interpreted as visible smart badge);

updating the set of visible smart badges in response to a change in smart badge visibility status (see page 1, section 1, paragraph 2 wherein the badge server is updated when the person wearing the WIPS badge moves from one place to the other); and

recalculating the lowest clearance level in response to the change in smart badge visibility status (see page 5, paragraph 1 wherein person events is generated when moved from one room to another in the re-access the security access level).

Regarding claim 13, Ljungh discloses a computer-usable medium embodying computer program code for context-aware computer management, comprising:

assigning database information a plurality of clearance levels (see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels" and the administrator assigns or determines who is able to view which information);

assigning each smart badge within a set of smart badges one of the clearance levels (see page 15, section 4.2.1 wherein the doors are assigned security levels. The badge is associated with the door for authorizing access; inherently, badges are assigned access or clearance level in order to have a particular entry through these doors);

using a wireless beacon to detect which smart badges are located within a predefined boundary (see page 1, section 1, paragraph 2 wherein badges and location of the badges are identified using the IR beacons);

identifying a lowest clearance level assigned to the smart badges within the boundary (see page 16, section 4.2.8 wherein lowest priority levels regarding access is interpreted as lowest clearance levels); and

providing access to that sub-set of the database information having a clearance level no higher than the lowest identified clearance level on a computer located within the predefined physical boundary (see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access).

Regarding claim 20, Ljungh discloses a system for context-aware computer management comprising:

means for assigning database information a plurality of clearance levels(see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels" and the administrator assigns or determines who is able to view which information);

means for assigning each smart badge within a set of smart badges one of the clearance levels (see page 15, section 4.2.1 wherein the doors are assigned security levels. The badge is associated with the door for authorizing access; inherently, badges

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are assigned access or clearance level in order to have a particular entry through these doors);

means for using a wireless beacon to detect which smart badges are located within a predefined boundary (see page 1, section 1, paragraph 2 wherein badges and location of the badges are identified using the IR beacons);

means for identifying a lowest clearance level assigned to the smart badges within the boundary (see page 16, section 4.2.8 wherein lowest priority levels regarding access is interpreted as lowest clearance levels); and

means for providing access to that sub-set of the database information having a clearance level no higher than the lowest identified clearance level on a computer located within the predefined physical boundary (see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access);

means for defining those smart badges within the boundary as a set of visible smart badges (see page 1, section 1, paragraph 2 wherein a person wearing WIPS badge is interpreted as visible smart badge);

means for updating the set of visible smart badges in response to a change in smart badge visibility status (see page 1, section 1, paragraph 2 wherein the badge server is updated when the person wearing the WIPS badge moves from one place to the other); and

means for recalculating the lowest clearance level in response to the change in smart badge visibility status (see page 5, paragraph 1 wherein person events is

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generated when moved from one room to another in the re-access the security access level).

Regarding claim 21, Ljungh discloses a system for context-aware computer management comprising:

- a database (see page 5, section 3.2.2), including information differentiated by a plurality of clearance levels (see page 13, section 4.1.2 wherein different access levels are disclosed);

- a first wireless beacon (see page 1, section 1 paragraph 2 wherein the rooms are equipped with beacons which inherently include first and second beacons);

- a set of smart badges, detected by the first wireless beacon to be within a predefined boundary (see page 1, section 1 paragraph 2 wherein the badge receives transmission from the beacon), each badge assigned one of the clearance levels (see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels");

- computer located within the boundary (see page 16, section 4.2.5 wherein a portable computer is disclosed);

- a system service module, coupled to the first wireless beacon (see Fig. 1 wherein the beacon is connected to the badge/service module), for identifying a lowest clearance level assigned to the smart badges within the boundary (see page 16, section 4.2.8 wherein lowest priority levels regarding access is interpreted as lowest clearance levels); and

a software application, coupled to the system service module and the database, for providing access to that sub-set of the information within the database having a clearance level no higher than the lowest identified clearance level on the computer (see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access).

Regarding claim 22, Ljungh discloses the system of claim 21, wherein the first beacon includes: a wide angle RF beacon (see page 17, section A.2 wherein RF signal is placed as beacon).

Regarding claim 23, Ljungh discloses the system of claim 21, further comprising: a second diffuse IR beacon, coupled to the service module, limited to detecting smart badges within the predefined boundary (see page 1, section 1, paragraph 2 wherein IR beacon communicate with smart badge).

Regarding claim 24, Ljungh discloses the system of claim 21, wherein the smart badges include:

biometric sensors for detecting when a smart badge has been removed from an assigned smart badge wearer (see page 15, section 4.2.1 wherein voice sensor is the biometric sensor).

Regarding claim 25, Ljungh discloses the system of claim 21, wherein the service module defines those smart badges within the boundary as a set of visible smart badges (see page 1, section 1, paragraph 2 wherein a person wearing WIPS badge is interpreted as visible smart badge), and

recalculates the lowest clearance level in response to a change in a visibility status (see page 5, paragraph 1 wherein person events is generated when moved from one room to another in the re-access the security access level).

Regarding claim 26, Ljungh discloses the system of claim 21, wherein the application logs smart badge wearers assigned to visible smart badges onto the computer (see page 10, section 3.3.1, paragraph 1 wherein the show room enables writing the name of specific room, badge/person wearing the badge when there is movement activities).

Regarding claim 27, Ljungh discloses the method of claim 1, wherein providing access to the sub-set of information comprises providing access to the sub-set of information stored on the computer located within the predefined boundary (see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access).



Regarding claim 28, Ljungh discloses the method of claim 1, wherein the wireless beacon comprises a first wireless beacon to communicate with the smart badges, the method further comprising:

using a second wireless beacon to communicate with the smart badges (see page 1, section 1, paragraph 2 wherein IR beacon communicate with smart badge), wherein detecting which smart badges are located within the predefined boundary is based on the first and second wireless beacons (see page 9, paragraph 2 wherein a list of all beacons which inherently include first and second beacons are transmitted to the badge in order to detect which beacons are located in the room).

Regarding claim 29, Ljungh discloses the method of claim 28, wherein using the second wireless beacon comprises using the second wireless beacon to communicate with smart badges within the predefined boundary (page 17, paragraph 1 wherein beacons which inherently include first and second beacons communicate with the smart badges) and to communicate with smart badges outside the predefined boundary through one or more blocking objects defining the predefined boundary (see page 17, paragraph 6 wherein the signal are prone to travel through walls/outside boundary), and

using the first wireless beacon comprises using the first wireless beacon to communicate with smart badges within the predefined boundary (see page 1, section 1, paragraph 2 wherein IR beacon communicate with smart badge), wherein the first wireless beacon is blocked from communicating with smart badges outside the

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predefined boundary by the one or more blocking objects (see page 17, paragraph 5 wherein the frequency signal is limited to limited area).

Regarding claim 30, Ljungh discloses the method of claim 29, wherein using the first wireless beacon comprises using an infrared beacon (see page 3 section 2.2), and wherein using the second wireless beacon comprises using a radio frequency beacon (see page 17, section A.2).

Regarding claim 31, Ljungh discloses an article comprising a computer-usable medium containing program code that when executed cause a computer to:

store plural sub-sets of information (see page 13, section 4.1.1), each sub-set of information associated with one of plural clearance levels (see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels" and the administrator assigns or determines who is able to view which information);

use at least a first wireless beacon to communicate with plural badges within a predefined region (see page 1, section 1, paragraph 2 wherein IR beacon communicate with smart badge), each of the plural badges associated with one of the plural clearance levels (see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels" and the administrator assigns or determines who is able to view which information);

determine a lowest clearance level from among the clearance levels associated with the badges in the predefined region (see page 16, section 4.2.8 wherein lowest priority levels regarding access is interpreted as lowest clearance levels); and

provide access to one or more sub-sets of the information having one or more respective clearance levels no higher than the determined lowest clearance level (see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access).

Regarding claim 32, Ljungh discloses the article of claim 31, wherein providing access to the one or more sub-sets of the information comprises displaying the one or more sub-sets (see page 10, section 3.3.1 wherein the functionality displays information about person, rooms and objects stored in the database) of the information having the one or more respective clearance levels no higher than the determined lowest clearance level (see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access).

Regarding claim 33, Ljungh discloses the article of claim 31, wherein the program code when executed cause the computer to further:

use a second wireless beacon to communicate with the plural badges in the predefined region (page 17, paragraph 1 wherein beacons which inherently include first and second beacons communicate with the smart badges) and to communicate with

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one or more badges outside the predefined region (see page 17, paragraph 6 wherein the signal are prone to travel through walls/outside boundary),

wherein the first wireless beacon is able to communicate with the plural badges within the predefined region (see page 1, section 1, paragraph 2 wherein IR beacon communicate with smart badge) but is unable to communicate with the one or more badges outside the predefined region (see page 17, paragraph 5 wherein the frequency signal is limited to limited area); and

determining the badges that are within the predefined region based on the first and second wireless beacons (see page 9, paragraph 2 wherein a list of all beacons which inherently include first and second beacons are transmitted to the badge in order to detect which beacons are located in the room).

Regarding claim 34, Ljungh discloses the article of claim 31, wherein the program code when executed cause the computer to further:

receive a parameter from each of the badges, the parameter indicating a confidence level that the respective badge has been worn continuously by a user (see page 15, section 4.2.1 paragraph 1 wherein the badge is authenticated to verify that the badge is in the possession of the owner).

Regarding claim 35, Ljungh discloses the article of claim 31, wherein the program code when executed cause the computer to further:

re-determine the lowest clearance level as badges enter or leave the predefined region (see page 5, paragraph 1 wherein person events is generated when moved from one room to another in the re-access the security access level).

Regarding claim 36, Ljungh discloses a system comprising:

Storage (see page 5, section 3.2.2) to store sub-sets of information associated with corresponding plural clearance levels (see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels" and the administrator assigns or determines who is able to view which information);

a first wireless beacon to communicate wirelessly with badges within a predefined region (see page 1, section 1, paragraph 2 wherein IR beacon communicate with smart badge), each of the badges associated with one of the plural clearance levels (see page 13, section 4.1.2, paragraph 1 wherein "access levels" is interpreted as "clearance levels" and the administrator assigns or determines who is able to view which information);

a module to identify a lowest clearance level from among the clearance levels of the badges within the predefined region (see page 16, section 4.2.8 wherein lowest priority levels regarding access is interpreted as lowest clearance levels); and

software to provide access to one or more sub-sets of information in the storage having one or more clearance levels no higher than the identified lowest clearance level

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(see page 15, section 4.2.1 wherein access is given in accordance different security levels. Different security levels are subset of the information or access).

Regarding claim 37, Ljungh discloses the system of claim 36, further comprising:  
a second wireless beacon to communicate wirelessly with badges within the predefined region (page 17, paragraph 1 wherein beacons which inherently include first and second beacons communicate with the smart badges) and at least one badge outside the predefined region (see page 17, paragraph 6 wherein the signal are prone to travel through walls/outside boundary),

wherein the first wireless beacon is unable to communicate with the at least one badge outside the predefined region (see page 17, paragraph 5 wherein the frequency signal is limited to limited area),

the module to detect the badges that are within the predefined region based on the first and second wireless beacons (see page 9, paragraph 2 wherein a list of all beacons which inherently include first and second beacons are transmitted to the badge in order to detect which beacons are located in the room).

Regarding claim 38, Ljungh discloses the system of claim 37, wherein the second wireless beacon comprises a radio frequency beacon (see page 17, section A.2), and the first wireless beacon comprises an infrared beacon (see page 3 section 2.2).

***Prior Art Of Record***

8. *Non-Patent Literature – Smartbadges: a wearable computer communication system by Dr. Maguire Jr. Gerald O. et al.*

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 571-272-4034. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fred I. Ehichioya  
Patent Examiner  
Art Unit 2162  
May 19, 2007

  
JOHN BREENE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100